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10/568,590

11/03/2006

Nobutaka Hamada

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EXAMINER

AGGARWAL, YOGESH K

ART UNIT

PAPER NUMBER

2622

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|---------------------------------------|---|--|
| Office Action Summary | Application No. 10/568,590 | Applicant(s) HAMADA, NOBUTAKA | |
| | Examiner YOGESH K. AGGARWAL | Art Unit 2622 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 November 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/03/2006</u> . | 6) <input type="checkbox"/> Other: ____. |

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tumey et al. (US PG-PUB 20020097145), Nakano et al. (US PG-PUB 20030185554) and in further view of Miller (US Patent # 4093364).

[Claim 1]

Tumey teaches an image processing system for identifying car thieves (figures 1 and 2, Paragraph 22) characterized by comprising a dashboard panel being provided in front of the driver's seat, a candid camera (103) being provided behind the dashboard panel, and an infrared light projector (113) emitting infrared light toward the driver's seat, therein a hole is provided at a specific position on the dashboard panel so that the candid camera is appropriately set to face the driver's seat (Paragraph 24). Tumey fails to teach the hole being covered with a protectively-colored cover made of a translucent material and of the similar or the same color as that of the dashboard panel. However Nakano teaches an example using a translucent member as one modification example of the cover member of the camera according to one embodiment of the present invention (col. 2 lines 48-51). Therefore taking the combined teachings of Tumey and Nakano, it would be obvious to one skilled in the art at the time of the invention to have been motivated to have used a translucent cover for the camera in order for the camera to easily take an image through the lens covering of the hole. Tumey in view of Nakano fails to teach that the

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translucent cover is the same color as the dashboard. However Miller teaches in FIG. 3 the cover portion 17 completes the surface configuration of the cutout 18 in dashboard 12 so that the camera 10 is completely hidden when not in use. The material for the cover portion 17 would of course be the same type as that which covers the dashboard 12 (col. 2 lines 34-39). Therefore taking the combined teachings of Tumey, Nakano and Miller, it would be obvious to one skilled in the art at the time of the invention to have a the translucent cover is the same color as the dashboard so that it cannot be detected and be hidden from view.

[Claim 2]

Tumey teaches an infrared light projector being provided behind the hole facing the driver's seat (Paragraph 24).

[Claim 3]

Miller teaches to provide a protectively-colored cover being provided on the camera that is the same color as dashboard in order to hide it from view. Therefore taking the combined teachings of Tumey and Miller, it would be obvious to have a display background of the numbers, characters, symbols or the like on the dashboard panel so that the protectively-colored cover is assimilated with the display background.

[Claim 4]

Tumey teaches to provide a camera on a dashboard and Miller teaches to provide a protectively-colored cover being provided on the camera that is the same color as dashboard in order to hide it from view so it would be a matter of design choice to have a protectively-colored cover being preferably provided inside a circular line described as a number, such as "0" or "8" or the like in order to properly hide form the viewer.

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[Claim 5]

Nakano teaches a protectively-colored cover being shaped like a convex lens (col. 2 lines 48-54). Tumey teaches projecting toward the driver's seat.

[Claim 6]

Tumey teaches a candid camera that starts taking moving images from standby mode controlled by a prior-switch operation near the driver's seat as the criminal opens the door and with the camera ceasing operation as the criminal opens the door again after he has stopped the car and turns off the engine switch (Paragraph 80, 82, 85).

[Claim 7]

Tumey teaches the criminal sits in the driver's seat and turns the key to start the engine (Paragraph 80, 82, 85).

[Claim 8]

Tumey, Nakano and Miller fails to teach a candid camera comprising a means of transmitting still images of a criminal sitting in the driver's seat to the computer or mobile terminal of the car owner. However Official Notice is taken of the fact that it would be obvious to one skilled in the art at the time of the invention to have been motivated to have a means of transmitting still images of a criminal sitting in the driver's seat to the computer or mobile terminal of the car owner in order to communicate to the owner that the car has been stolen.

[Claim 9]

Tumey teaches providing a candid camera being housed in a roof panel (Paragraph 31) but fails to teach that the candid camera is inside an indicator light case of the dashboard panel, and a hole being provided on a light cover of the indicator light case, the hole being covered with a

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protectively-colored cover of the similar or the same color as that of the light cover. However it would be matter of design choice to place the camera in any part of the roof including the indicator light in order to have a clearer images.

[Claim 10]

It would be a matter of design choice to place the candid camera on any place on the dashboard including fixing on a partition wall in the meter housing of the dashboard panel.

[Claim 11]

Miller teaches an imitation protectively-colored cover being provided at a specific place on the dashboard panel (col. 2 lines 34-39).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOGESH K. AGGARWAL whose telephone number is (571)272-7360. The examiner can normally be reached on M-F 9:00AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (571)-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Yogesh K Aggarwal/
Primary Examiner, Art Unit 2622